

ORDER REQUIRING THE PORT OF SAN FRANCISCO TO
CEASE AND DESIST DISCHARGING WASTES CONTRARY
TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD, SAN
FRANCISCO BAY REGION.

ORDER NO. 72-27

The California Regional Water Quality Control Board, San Francisco Bay Region,
finds:

A. On March 28, 1972, this Regional Board adopted Order No. 72-9 prescribing waste
discharge requirements for the construction of the Pier 94 shipping terminal.

B. The discharge requirements provide, in part, as follows:

"5. The disposal of any additional Class I or II material at this
site (easterly of Arthur Avenue) is prohibited as of March 28,
1972.

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7. The activity exclusive of the disposal of native muds shall
not cause:

a. Any alteration in turbidity or discoloration beyond nat-
ural background levels in waters of the State at any
place. Minimal turbidity and discoloration may be per-
mitted during excavation and filling activities.

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d. Waters of the State to exceed the following limits of quality
at any point:

Dissolved oxygen	5.0 mg/l minimum
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Dissolved sulfide	0.1 mg/l maximum
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8. Leachate or ponded water containing leachate shall not be dis-
charged to the waters of the State.

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C. Inspections by Board staff have indicated that the discharger has violated
the requirements on turbidity and discoloration in waters of the State; dis-
solved sulfides in waters of the State; prohibition of discharge of leach-
ate; and prohibition of disposal of Class II material.

D. Inspections by Board staff have indicated that the discharger is threatening
to violate the requirement on dissolved oxygen in waters of the State.

- E. By letters dated March 30, 1972, April 17, 1972, May 2, 1972, and June 15, 1972, the Regional Board Staff notified the discharger of the violations of requirements and requested their schedule for corrective actions.
- F. On June 27, 1972, at a meeting starting at 9:30 a.m. in the Alameda County Public Works Building Auditorium, 399 Elmhurst Street, Hayward, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- G. The discharger is violating the requirements for turbidity and discoloration in waters of the State; dissolved sulfides in waters of the State; prohibition of discharge of leachate; and prohibition of disposal of Class II material.
- H. The discharger is threatening to violate the requirement for dissolved oxygen in the receiving waters.

IT IS HEREBY ORDERED THAT:

- A. The Port of San Francisco cease and desist from discharging or allowing discharge of Class I and Class II wastes in violation of requirements at this site as of June 27, 1972.
- B. The Port of San Francisco cease and desist from violating or threatening to violate requirements on turbidity and discoloration in waters of the State; dissolved sulfides in waters of the State; discharge of leachate; and dissolved oxygen in water of the State by July 15, 1972.
- C. The Port of San Francisco is required to provide to the Board by July 15, 1972, a report, under penalty of perjury, on compliance with requirements.
- D. If, in the opinion of the Executive Officer, the Port of San Francisco fails to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on June 27, 1972.

Executive Officer